



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant** : Gary Lynn Eesley  
**Serial No.** : 09/804,756  
**Filed** : March 13, 2001  
**Title** : HIGH PERFORMANCE HEAT EXCHANGE ASSEMBLY  
  
**Art Unit** : 3743  
**Examiner** : Nihir B. Patel  
  
**Docket No.** : DP-301709

**AMENDMENT UNDER 37 CFR § 1.116 AND  
REQUEST FOR CONTINUED EXAMINATION (RCE)**

**MAILSTOP: AF**  
**Commissioner of Patents**  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**  
MAR 04 2004  
TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Final Office Action dated December 31, 2003, attorney for Applicant submits the subject amendment under 37 CFR § 1.116. This amendment is prepared to place the subject application in condition for allowance and is also being filed in conjunction with a Request for Continued Examination of the above identified application. This amendment is also complying with the Examiner's objections and/or requirements as to form. Finally, applicant believes that the final rejection is premature and respectfully requests that his amendment be admitted for continued prosecution on the merits.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper